

EXHIBIT “D”



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Food and Drug Administration
College Park, MD 20740

OCT 8 2004

Betsy D. Carlton, Ph.D.
Manager, Chemicals Toxicology
Rhodia, Inc.
5171 Glenwood Avenue
Suite 402
Raleigh, North Carolina 27612

Dear Dr. Carlton:

This is in response to your letter of April 5, 2004, to the Food and Drug Administration regarding the labeling of a vanillin product derived by fermentation. You requested a letter confirming that vanillin derived from a natural source such as ferulic acid via a natural process such as fermentation can be labeled "natural vanillin" or "vanillin derived naturally by fermentation." We regret the delay in our response and trust that the following would be helpful to you.

The Federal Food, Drug and Cosmetic Act requires, among other things, that a food bear on its label the common or usual name of the food. The common or usual name of the product that you describe in your letter is vanillin. Therefore, the product should be labeled as "vanillin," regardless of whether the product is manufactured naturally or synthetically.

By way of background, our policy on the use of the term "natural" is that "natural" means that nothing artificial (including artificial flavors) or synthetic (including all color additives regardless of source) has been included in or has been added to a food that would not normally be expected to be in the food. Therefore, although the common or usual name of the product you describe is "vanillin," if the product is manufactured by a natural process, we would not object to the use of a statement such as "vanillin derived naturally through fermentation" elsewhere on your product label.

If we may be of further assistance, please let us know.

Sincerely yours,

Catalina Ferré-Hockensmith
Consumer Safety Officer
Food Labeling and Standards Staff
Office of Nutritional Products, Labeling
and Dietary Supplements
Center for Food Safety
and Applied Nutrition